

02-19-02

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**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
382.1036Total Pages in this Submission  
179**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**FULL-LENGTH GENOMIC RNA OF PAPAYA LEAF-DISTORTION MOSAIC VIRUS**

and invented by:

**Tetsuo MAOKA**  
**Tatsuji HATAYA**If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 81 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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## Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal Number of Sheets \_\_\_\_\_
- b. ☒ Informal Number of Sheets 8
4. ☒ Oath or Declaration
- a. ☒ Newly executed (original or copy) ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche (Appendix)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☒ Paper Copy
- b. ☒ Computer Readable Copy (identical to computer copy)
- c. ☒ Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8. ☒ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EL 825523124 US

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## Accompanying Application Parts (Continued)

15. ☒ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Additional Enclosures (please identify below):

Letter re Priority

## Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

7. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

## Warning

**An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.**

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(Only for new nonprovisional applications under 37 CFR 1.53(b))

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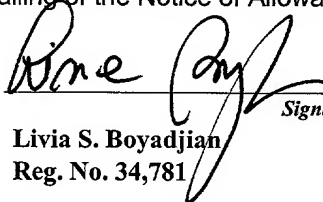
Total Pages in this Submission  
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**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	8	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	5	- 3 =	2	x \$84.00	\$168.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$740.00
OTHER FEE (specify purpose) Recording Assignment					\$40.00
TOTAL FILING FEE					\$948.00

- ☒ A check in the amount of \$948.00 to cover the filing fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge and credit Deposit Account No. 50-0552 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
Signature  
Livia S. Boyadjian  
Reg. No. 34,781

Dated: February 15, 2002

CC:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: Tetsuo MAOKA, et al.  
Serial No.: To Be Assigned  
File: Herewith  
For: **FULL-LENGTH GENOMIC RNA OF PAPAYA  
LEAF-DISTORTION MOSAIC VIRUS**

Assistant Commissioner for Patents  
Washington, DC 20231

February 15, 2002

**SUBMISSION OF SEQUENCE LISTING IN  
COMPLIANCE WITH 37 C.F.R. §§ 1.821-1.825**

S I R:

In order to comply with the Requirements for Patent Application Containing Nucleotide Sequence and/or Amino Acids, Applicants submit herewith a Sequence Listing in computer readable form on the enclosed 3.5 inch computer disk, and a corresponding paper copy in compliance with 37 C.F. R. §§ 1.821-1.825 as pages 21-78 of the specification. Pursuant to 37 C.F.R. § 1.821(f) and (g), the undersigned hereby states that the information recorded in computer readable form is identical to the paper sequence listing set forth in the specification, and that the submission herein does not include new matter.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 

Livia S. Boyadjian  
Reg. No. 34,781

DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, NY 10018  
(212) 736-1940

## Certificate of Mailing By Express Mailing under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

on February 15, 2002.  
Date

  
Signature

Randolph McQueen

Typed or printed name of person signing Certificate

EL 825523124 US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing by Express Mail, or this certificate must identify each submitted paper.

Re.: Docket No.: 382.1036  
Applicant(s): Tetsuo MAOKA, et al.  
Invention: FULL-LENGTH GENOMIC RNA OF PAPAYA LEAF-DISTORTION MOSAIC VIRUS  
Filing Date: Herewith

Utility Patent Application;  
Specification, including Sequence Listing, Claims and Abstract;  
Eight (8) Sheets of Informal Drawings;  
Executed Declaration/Power of Attorney;  
Assignment Recordation Form Cover Sheet;  
Executed Assignment;  
Letter re Priority;  
Translation of Certification from the Patent Office of the Japanese Government;  
Certified copy of Japanese Patent Application No. 040523/2001;  
Submission of Sequence Listing in Compliance with 37 C.F.R. 1.821-1.825;  
Sequence Listing in Computer Readable Form (1 diskette); and  
A check in the amount of \$948.00.